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JAMES C. SIMMONS

Name

*James C. Simmons*

Signature

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Cohen et al

Serial no. 09/110,376

Filed: May 12, 1998

For: METHODS FOR IDENTIFYING OR DIAGNOSING CARCINOMA CELLS WITH METASTATIC POTENTIAL BASED ON THE MEASUREMENT OF LYMPHOID GENES OR THEIR PRODUCTS IN CARCINOMA CELLS

Examiner: K. Canella  
Art Unit: 1642

**INFORMATION DISCLOSURE STATEMENT  
ACCOMPANYING THIRD AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

A Third Amendment is inclosed herewith.

In order to insure compliance with Applicant's duty of disclosure, enclosed is a copy of form 1449 along with a copy of the reference cited therein (with the exception of sheets 1 and 2 of the drawings, which were non-downloadable due to system error). The reference is a CIP of the application upon which the previously cited U.S. patent 5,536,642 issued.

This Information Disclosure Statement is being filed before the mailing date of either a final action under section 1.113 or a notice of allowance under section 1.311. It is hereby certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in section 1.56(c) more than three months prior to the filing of this Statement. Therefore, in accordance with 37 CFR 1.97(c), it is respectfully requested that this Information Disclosure Statement be considered.

Respectfully submitted,

*James C. Simmons*

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